



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 13, 2021

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Revanche v. Mayorkas, et al.*, 21-cv-3345 (KPF)

Dear Judge Failla:

This Office represents the government in the above-referenced action in which plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate plaintiffs’ Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or Adjust Status (Form I-485). I write respectfully, with plaintiffs’ consent, to request a 60-day extension of the government’s time respond to the complaint, *i.e.*, from the current due date of August 23, 2021 to October 22, 2021. This is the government’s second request for an extension. The Court granted the government’s first extension request on June 21, 2021. *See* ECF No. 13.

The extension is requested because plaintiffs’ counsel informed this Office that though he has filed a request to recalendar and a motion to change venue with the Immigration Court in June 2021, due to delays in transferring files, the relevant file was only recently received by the NY Executive Office for Immigration Review (“EOIR”). Now that NY EOIR has received the file, plaintiffs’ counsel has informed this Office that he intends to file a motion to terminate in Immigration Court. Therefore, the 60-day extension is requested to allow the Immigration Court time to rule on the motion and the parties time to discuss next steps including a potential disposition of this case without the need for court intervention.

For the same reasons as discussed above, the government also respectfully requests that the Court adjourn the initial pretrial conference presently scheduled for September 8, 2021 to a date at least two weeks after October 22, 2021. This is the government’s second request to adjourn the initial conference, and plaintiffs’ counsel consents to this request.

I thank the Court for its consideration of these requests.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

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Rebecca Friedman
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cc: Counsel of record (via ECF)

Application GRANTED. Additionally, the initial pretrial conference scheduled for September 8, 2021, is hereby ADJOURNED to November 19, 2021, at 3:30 p.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533. Please note, the conference will not be available until 3:30 p.m.

Date: August 16, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE